

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 8, 1994
AT 10:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:08 a.m.
The meeting was adjourned by Mayor Golding at 10:37 a.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-Present
(1) Council Member Mathis-present
(2) Council Member Roberts-present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present
Clerk-Fishkin (ec/mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Roberts-not present
(3) Council Member Kehoe-present
(4) Council Member Stevens-not present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-not present
(8) Council Member Vargas-present

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

None.

ITEM-106:

SUBJECT: Three actions related to "F" Street (7th Avenue to 12th Avenue Underground Utility District.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1079) ADOPTED AS RESOLUTION R-283383

Designating April 1, 1994 as the date upon which all property in the "F" Street (7th Avenue to 12th Avenue) Underground Utility District must be ready to receive underground service and June 1, 1994 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-94-1080) ADOPTED AS RESOLUTION R-283384

Authorizing the Auditor and Comptroller to open Fund No. 78069 for the purpose of depositing Public Utilities Commission Case 8209 Utility Under-grounding Allocation Funds for the "F" Street (7th Avenue to 12th Avenue) Underground Utility District; Authorizing payment to all property owners in the "F" Street (7th Avenue to 12th Avenue) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 1 foot, from Case 8209 funds held by the City Treasurer for this purpose; Authorizing the Auditor and Comptroller to return to San Diego Gas and Electric Company any un-disbursed funds.

Subitem-C: (R-94-1081) ADOPTED AS RESOLUTION R-283385

Authorizing the expenditure of not to exceed \$42,500 from Annual Allocation - Under-grounding of City Utilities, CIP-37-028.0, Transnet Fund 30300, for the installation of street lights in the "F" Street (7th Avenue to 12th Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The "F" Street (7th Avenue to 12th Avenue) Underground Utility District was created by the City Council on July 18, 1989. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set April 1, 1994 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish June 1, 1994 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.
Aud. Cert. 9400710.

FILE LOCATION: STRT K-188

COUNCIL ACTION: (Tape location: A030-053.)

MOTION BY STEVENS TO ADOPT THE RESOLUTIONS. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: Two actions related to Federal Boulevard (47th Street to Euclid Avenue) Underground Utility District.

(Webster Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-909) ADOPTED AS RESOLUTION R-283386

Establishing the Federal Boulevard (47th Street to
Euclid Avenue) Underground Utility District.

Subitem-B: (R-94-910) ADOPTED AS RESOLUTION R-283387

Authorizing the expenditure of not to exceed \$46,800
from Annual Allocation - Under-grounding of City
Utilities, CIP-37-028.0, Transnet Fund 30300, for the
purpose of administering the Federal Boulevard (47th
Street to Euclid Avenue) Underground Utility District,
minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility
facilities on Federal Boulevard between 47th Street and Euclid
Avenue. This is a scheduled project in the calendar year 1993
Capital Improvement Program. The formation of this district will
require the affected property owners to underground the portion
of their utilities on their parcel prior to removal of the
overhead utilities. Council Policy 800-2 provides for the use of
San Diego Gas and Electric Company's Annual Allocation Funds
(Case 8209) to make reimbursement payments to affected property
owners based on the length of their electrical service trench. A
future resolution will establish the date for removal of overhead
utilities as the under-grounding work approaches completion.

Aud. Cert. 9400581.

FILE LOCATION: STRT K-220

COUNCIL ACTION: (Tape location: A030-053.)

Hearing began at 10:08 a.m. and halted at 10:12 a.m.

MOTION BY STEVENS TO ADOPT THE RESOLUTIONS. Second by
Kehoe. Passed by the following vote: Mathis-yea,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

**Minutes of the Council of the City of San Diego for
the Regular Meeting of Tuesday, February 8, 1994**

Page 5

SUBJECT: First Public Hearing - Kings Row Subdivision Landscape
Maintenance District.

(Lincoln Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing, then continue the item to March 8, 1994 at 10:00 a.m. for the second hearing and adoption of the following resolution:

(R-94-974) HEARING HELD

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Kings Row Subdivision Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

A petition for this Landscape Maintenance District was signed by the owner-developer of 100 percent of the property area involved. This landscaping improvement plan is proposed by the owner-developer on the western part of Euclid Avenue along Kings Row Subdivision with the installation of landscaping of trees and low growth and low maintenance shrubs to create a more pleasing and attractive environment. These improvements will be furnished by the owner-developer. In order to provide for the continued maintenance of the proposed landscaping, this enhancement project will depend on the establishment of a Landscape Maintenance District. Those property owners within this district pay for the annual maintenance on the basis of benefit. A property that benefits is one that exists adjacent to the landscape to be maintained. The present action is for the establishment of the district only. After the landscape construction is approved by the City, the landscaping improvements will be maintained by the developer for approximately two years or until July 1996. Consequently, assessments will be levied during Fiscal Year 1997. The annual maintenance cost for the proposed landscaping improvements is estimated at \$10,194. The assessments are spread to include benefitting properties within the proposed district boundaries on the basis of 43 lots. The estimated annual assessment is approximately \$237 per lot. The property owners' assessments would not occur until Fiscal Year 1997.

FILE LOCATION: STRT M-307

COUNCIL ACTION: (Tape location: A030-053.)

Hearing began at 10:08 a.m. and halted at 10:12 a.m.

MOTION BY STEVENS TO APPROVE FIRST HEARING. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Matter of the fourth amendment to the First San Diego River Improvement Project (FSDRIP) Development Agreement.

(Case-35-0361. District-6.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-94-63) INTRODUCED, TO BE ADOPTED ON FEBRUARY 22, 1994

Introduction of an Ordinance approving the fourth amendment to the First San Diego River Improvement Project (FSDRIP) Development Agreement.

SUPPORTING INFORMATION

The development agreement amendment is being requested to modify a processing requirement for future amendments so that only impacted property owners are required to consent.

LEGAL DESCRIPTION:

The boundaries of the 254-acre FSDRIP property are generally described as SR 163 on the west, Friars Road on the north, Camino de La Reina and Camino del Rio North on the south, and approximately 700 feet east of I-805 on the east. The project is located within the Mission Valley Community. FSDRIP is a mixed-use project with multiple property ownerships that includes flood control improvements to the San Diego River.

FILE LOCATION: DEVL - FIRST SAN DIEGO RIVER
 IMPROVEMENT PROJECT(FSDRIP) DEVELOPMENT
 AGREEMENT.

COUNCIL ACTION: (Tape location: A030-053.)

Hearing began at 10:08 a.m. and halted at 10:12 a.m.

MOTION BY STEVENS TO INTRODUCE THE ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Matter of the fifth amendment to the First San Diego River Improvement Project (FSDRIP) Development Agreement for Rio Vista West and consideration of Final Environmental Impact Report EIR-92-0586.

(Mission Valley Community Plan. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and introduce the ordinance:

Subitem-A: (R-94-1100) ADOPTED AS RESOLUTION R-283388

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-92-0586 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-94-67) INTRODUCED, TO BE ADOPTED ON
FEBRUARY 22, 1994

Introduction of an Ordinance approving the fifth amendment to the First San Diego River Improvement Project (FSDRIP) Development Agreement for Rio Vista West.

SUPPORTING INFORMATION:

The planned Rio Vista West project is a mixed-use, Transit-Oriented Development proposed around the future Rio Vista West Light Rail Transit station. The development agreement amendment is being requested to memorialize changes to the FSDRIP Specific Plan which were approved by the City Council on December 7, 1993.

LEGAL DESCRIPTION:

The 94.5-acre subject property is located on the west side of Stadium Way, south of Friars Road in the Mission Valley Community. The property is also described as Parcel 1 of Map-15299, Parcel 1 of Map-16146 and portions of Lots 1173 and 1183 of the Pueblo Lands Subdivision in the City and County of San Diego.

FILE LOCATION: DEVL - FIRST SAN DIEGO RIVER
 IMPROVEMENT PROJECT(FSDRIP) DEVELOPMENT
 AGREEMENT CONFY94-1

COUNCIL ACTION: (Tape location: A030-053.)

Hearing began at 10:08 a.m. and halted at 10:12 a.m.

MOTION BY STEVENS TO ADOPT SUBITEM-A AND INTRODUCE
SUBITEM-B. Second by Kehoe. Passed by the following vote:
Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Matter of an amendment to the First San Diego River
Improvement Project (FSDRIP) Specific Plan; sixth
amendment to the FSDRIP Development Agreement for
Hazard Center Phase II.

(Mission Valley Community Plan. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions and introduce the ordinance:

Subitem-A: (R-94-1101) ADOPTED AS RESOLUTION R-283389

Adoption of a Resolution certifying that the
information contained in Environmental Impact Report
Addendum DEP-93-0358 to supplement DEP-83-0092 has been
completed in compliance with the California
Environmental Quality Act of 1970 and State guidelines,
and that said report has been reviewed and considered
by the Council pursuant to California Public Resources
Code Section 21081.

Subitem-B: (O-94-68) INTRODUCED, TO BE ADOPTED ON

FEBRUARY 22, 1994

Introduction of an Ordinance approving the 6th amendment to the First San Diego River Improvement Project (FSDRIP) Development Agreement for Hazard Center Phase II.

Subitem-C: (R-94-1102) ADOPTED AS RESOLUTION R-283390

Adoption of a Resolution approving the 6th amendment to the First San Diego River Improvement Project (FSDRIP) Specific Plan.

SUPPORTING INFORMATION:

The amendment to the First San Diego River Improvement Project (FSDRIP) Specific Plan to reflect a 62,000-square-foot commercial retail development on the six-acre Hazard Center East site, in lieu of the approximately 275,000-square-foot office and parking structure planned. The Hazard Center East site is located in the Mission Valley Community on Mission Center Road, between Hazard Center Drive and Mission Center Court. The proposed specific plan amendment is accompanied by a proposed amendment (No. 6) to the First San Diego River Improvement Project (FSDRIP) Development Agreement and Addendum DEP-93-0358 to Supplemental EIR-83-0092.

LEGAL DESCRIPTION:

Lot 5, Hazard Center, Map-11949.

FILE LOCATION:

SUBITEM A & B: DEVL - FSDRIP CONTFY94-1
SUBITEM C: LAND - FIRST SAN DIEGO RIVER
IMPROVEMENT PROJECT (FSDRIP) SPECIFIC
PLAN.

COUNCIL ACTION:

(Tape location: A058-226.)

Hearing began at 10:12 a.m. and halted at 10:26 a.m.

MOTION BY STALLINGS TO ADOPT SUBITEM-A AND -C AND INTRODUCE SUBITEM-B. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: Matter of an amendment to the Kearny Mesa Community Plan and Progress Guide and General Plan, and a re-zone (from the M-1B Zone to the CA-RR Zone) Interstate Retail Center. (CPA-35-355 & RZ-93-0288. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions and introduce the ordinance:

Subitem-A: (R-94-1061) ADOPTED AS RESOLUTION R-283391

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-93-0289 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the declaration has been reviewed and considered by Council.

Subitem-B: (O-94-62) INTRODUCED, TO BE ADOPTED ON
FEBRUARY 22, 1994

Introduction of an Ordinance to rezone from the M-1B Zone to the CA-RR Zone.

Subitem-C: (R-94-1062) ADOPTED AS RESOLUTION R-283392

Adoption of a Resolution amending the Kearny Mesa Community Plan and Progress Guide and General Plan.

SUPPORTING INFORMATION:

Matter of an amendment to the Kearny Mesa Community Plan and Progress Guide and General Plan, and a re-zone. The plan amendment proposes to re-designate the land use of a site from Industrial and Business Park to General Commercial. The project site, located at 5150 Murphy Canyon Road, is also proposed to be re-zoned from the M-1B Zone to the CA-RR Zone.

LEGAL DESCRIPTION:

The subject property is described as Parcel 1 of Map- 14213.

FILE LOCATION: SUBITEM A & B: ZONE ORD. NO.; SUBITEM
C: LAND - KEARNY MESA COMMUNITY PLAN

COUNCIL ACTION: (Tape location: A030-053.)

Hearing began at 10:08 a.m. and halted at 10:12 a.m.

MOTION BY STEVENS TO ADOPT SUBITEM-A AND -C AND INTRODUCE
SUBITEM-B. Second by Kehoe. Passed by the following vote:
Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336:

SUBJECT: Automated Refuse Collection.

(See City Manager Report CMR-93-313.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-94-60) INTRODUCED AND ADOPTED AS ORDINANCE O-18033
(New Series)

Introduction and adoption of an Ordinance amending
Ordinance O-17947 (New Series), as amended, entitled
"An Ordinance Adopting the Annual Budget for the Fiscal
Year 1993-94 and Appropriating the Necessary Money
to Operate the City of San Diego for the Fiscal Year"
by amending Document No. 00-17947-1, by increasing the
appropriations and estimated revenues in General Fund
100 by \$362,000 for transfer to the Automated Container
Fund (10509).

NOTE: See Item 150(B) on the docket of Monday, February 7,
1994 for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A227-365.)

MOTION BY ROBERTS TO INTRODUCE AND ADOPT THE ORDINANCE.
Second by McCarty. Passed by the following vote:
Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 10:37 a.m. in honor of the memory of Pliny Castanien.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A368.)